

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

HISCOX INSURANCE COMPANY, INC.,

Plaintiff,

v.

CURTIS BORDENAVE, BUSINESS
MOVES CONSULTING, INC. dba
BUSINESS MOVES,

Defendants.

1:18-CV-10222-PAE

**NOTICE OF CROSS MOTION TO
DISMISS**

PLEASE TAKE NOTICE that upon the annexed Affidavit of Curtis Bordenave, any exhibits attached thereto, and the accompanying Memorandum of Law, Defendants Curtis Bordenave and Business Moves Consulting, Inc., (DBA Business Moves) (collectively “Defendants”) will move this Court, before Hon. Engelmayer, United States District Judge, at the United State Courthouse for the Southern District of New York, at 500 Pearl Street, New York, New York, for an order dismissing the Plaintiff’s Verified Complaint and Verified Amended Complaint in their entirety with prejudice, pursuant to the following sections of the Federal Rules of Civil Procedure dismissing: (1) Rule 12(a), on the basis that defendant failed to establish complete diversity; and (2) Rule 12(b)(2), on the basis that defendant failed to establish personal jurisdiction; Rule 12(b)(6), on the basis that plaintiffs’ allegations in the Complaint and Amended Complaint failed to state claims for which relief may be granted, and Rule 12(b)(7) for failure to join a necessary party under Rule 19.

PLEASE TAKE FURTHER NOTICE that all answering papers shall be served upon Defendants’ counsel no later than February 20th, 2019 or as otherwise provided by Judge Engelmayer’s local rules.

New York, New York
Dated: February 5th, 2019

/s/ T. Bryce Jones, Esq.
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